

FILED

9/6/08

Clerk Wiekling,

Pending CO7-4469 CW(PR)

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND

SEP - 9 2008

In lines 4-7 I intended CO7-4286 CW(PR) to show the court my efforts to obtain my Direct Appeal and my Companion Writ from the Administrative Segregation Officer prior to my 7/19/07 filing deadline. I'd also sent verification of my medical condition and the prescribed narcotic medications I'd been taking. I sent this in hopes that the court would excuse my exceeding the 7/19/07 filing deadline. The Companion Writ (ground #7 I.A.C.) was previously exhausted on 7/19/06.

In regards to lines 13-16, I filed the Appeal (Improper Jury Instruction) using a State Habeas Form and I wrote FEDERAL APPEAL above Writ of Habeas Corpus. The court added this appeal as a supplement to CO7-4469. (see attachment stamped Sept. 10/08)

The Attorney General only Showed Cause on the Improper Jury Instruction?

I've sent a copy of the 8/7/07 letter I'd sent along with the Writ application CO74286 CW to inform the court of my efforts to obtain my property. I'd also filed an inmate grievance repeatedly, which the Inmate Appeals Staff at Menard Prison wouldn't accept. Can you please send me a current docket sheet? Thank You J.P. Hancock V-49474

I sent documents with this to indicate to the court my attempts to obtain my Direct Appeal and Companion Writ from Administrative Segregation Property v-49474

Dear Clerk, Staff prior to my 7/19/07 filing deadline  
9/6/08 I swear under penalty of perjury the above statement is true, Hancock

I was misinformed by my appellate attorney into the belief that I had at least 90 days after I received the California Supreme Court's denial of my writ before I would exceed my filing deadline in the federal district court. Please see advisement on page marked #1, 2nd paragraph. I'm ready to proceed with my exhausted claim or claims. I received my Calif. Supreme Court denials for cases S150880 on 8/2/07 and S151947 on 7/31/07, Both stating (See In re Clark 5 Cal. 4th 75, I was transferred from Calif. Men's Colony to Avenal State Prison on 6/13/07. I've been housed in Administrative Segregation since my arrival. I'm not supposed to be housed at this prison due to my medical condition.

I've been taking prescribed narcotic pain medication for my disability since March of 2005. I've been unable to go to the law library since my arrival, I requested a writ application from your office in July. As soon as I can obtain an application I will file in the Northern District Court. Hopefully I'm not too late. Please review the initial pages. Thanks for your time. Please see other exhibit

I didn't receive me properly until 7/27/07. Sincerely, W. Hancock

8/11/01

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On 6/13/07 I was transferred to Avenal State Prison in violation of Doctors orders. Upon my arrival I was left with the choice of a) violate Doctors orders and accept housing that would put me at greater risk to permanent paralysis or b) be housed in Administrative Segregation pending a hearing on the matter. I chose Segregation. In 2006 I'd been housed on a prison yard, identical to these in violation of the same medical chrono I was attacked from behind while on my knees getting something from my locker. I suffered a Great Bodily Injury. I thought I'd only be in Administrative Segregation a short time until the I.C.C. Hearing in which a decision would be made to transfer me to a facility that coincides with my medical condition and chrono. After 30 days here I requested my property, which contains all of my pending legal material along with information to help from station 7/13/07. On 7/17/07 the same Property Officer came to my cell and said, "I can't find your property." I said, "I've been inside this building since my arrival. I saw my property inside the Receiving and Release building the day I arrived." The officer never brought my property. I filed an inmate appeal (see initial copies). On 7/27/07 another officer finally did bring me my property. Thanks for your time, Luis Mancor

This was my appeal in State Court which was attached 1/15/08 as a supplement to my already pending writ  
c07-4469 cw E-filing FILED  
I guess I used the wrong form to file the appeal?  
SEP 10 2008 16  
NP

**FEDERAL APPEAL**

PETITION FOR A WRIT OF HABEAS CORPUS BY A PERSON IN STATE CUSTODY

4664  
Name

Hancock

(Last)

Jeff

(First)

J

(Initial)

CW  
Prisoner Number

V-49474

Institutional Address

#8 Kings Way Avenal, CA 93204

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

JEFF JAY HANCOCK

**C 07**

**4664**

**CW**

**(PR)**

Full Name of Petitioner

Case No. (To be provided by the  
clerk of court)

vs.

D. SEDLEY

Name of Respondent  
(Warden or jailor)

**FEDERAL APPEAL**  
PETITION FOR A WRIT OF HABEAS CORPUS  
**EVIDENCIARY HEARING  
REQUESTED**

Read Comments Carefully Before Filling In

When and Where to File

You should file in the Northern District if you were convicted and sentenced in one of these counties: Alameda, Contra Costa, Del Norte, Humboldt, Lake, Marin, Mendocino, Monterey, Napa, San Benito, Santa Clara, Santa Cruz, San Francisco, San Mateo and Sonoma. You should also file in this district if you are challenging the manner in which your sentence is being executed, such as loss of good time credits, and you are confined in one of these counties. Habeas L.R. 2254-3(a).

If you are challenging your conviction or sentence and you were not convicted and sentenced in one of the above-named fifteen counties, your petition will likely be transferred to the United States District Court for the district in which the state court that convicted and sentenced you is located. If you are challenging the execution of your sentence and you are not in prison in one of these counties, your

**The Attorney General was ordered to respond to the Eight grounds  
in c07-4469 and only showed cause on the Improper Jury Instruction  
ground?**

1/24/08

Clerk Wierking

Concerning the order of 1/15/08

On 9/10/07 I filed an appeal using a federal habeas corpus application. On the 1st page I crossed out 'Habeas Corpus' and above it wrote 'Federal Appeal'. The appeal concerned improper jury instructions. When I appealed my criminal conviction in state court my appellate attorney attached a companion habeas corpus as well. I sent case # CO7-4286(CW/PR) to try and convince the court of governmental interference on the part of correctional staff with regards to my obtaining my writ and appeal, from my property which they (COCR Staff) possessed. I was hoping the court would consider this in light of excusing any procedural default on my part. So, I just wanted to let you know that case # CO7-4464(CW/PR) was my appeal. I've never done this before so I guess the consolidation of petitions is a good thing. Thanks for your consideration

Jeff Hancock

Note (I now realize I'd filed CO7-4286 using a State Habeas Application)  
I sent this letter from Avenal State Prison, Administrative Segregation Unit. It should have been postmarked 1/25/08. I've noticed the court received a letter 2/4/08 in case CO7-4464(CW), per the docket sheet. Between Oct. '07 and Feb. '08, I've alleged the theft of my outgoing legal mail by Avenal Staff, grievance pending.